

EXHIBIT 5

From: Sullivan, Daniel [dasulliv@lehman.com]
Sent: Monday, September 22, 2008 2:33 PM
To: Sue Labar
Cc: William Houlihan; Stephen Dietz; Valentino, Steve; Sweely, Gordon G; Lechner, Scott; Ku, Jeffrey; Obermeyer, James; Rodgers, Daniel
Subject: RE: Request to Borrow

Sue-
As per our conversation, Lehman will not fund this request.

From: Sue Labar [mailto:Sue.Labar@SixthGear.com]
Sent: Monday, September 22, 2008 12:56 PM
To: Sullivan, Daniel; Ku, Jeffrey; Obermeyer, James; Rodgers, Daniel
Cc: William Houlihan; Stephen Dietz; Sue Labar
Subject: Request to Borrow

Reference is made to the Transfer Agreement and Purchase Request (the "Request") dated as of September 12, 2008 and attached hereto which requested that you purchase Receivables (as defined in the Request) for a price of \$673,262.92 on September 15, 2008. Daniel Rodgers confirmed by email on September 12, 2008 that you would be purchasing such Receivables. You indicated on September 15, 2008 by phone that you would not be funding such Request and you did not do so.

Attached is another Transfer Agreement and Purchase Request dated today's date which requests that you purchase Receivables for a price of \$1,925,966.65. This request includes the Receivables we requested you purchase on September 15, 2008. Please confirm today that you will be funding this request tomorrow, September 23, 2008 before 4 p.m. EST.

Please understand that we rely on your funding these requests to continue to do business and that if you refuse to honor your commitments we will be unable to continue as a going concern and will incur substantial damages. We do not have any other source of financing available.

We reserve all of our rights and remedies should you fail to honor this request.

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Susan LaBar
Director, Treasury
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10/20/2008

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purpose of (i) avoiding U.S. tax related penalties or (ii) promoting, marketing or recommending to another party any
transaction or matter addressed herein. pg 3 of 3